

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 253 be amended to read as follows:

- 1 Page 1, between lines 8 and 9, begin a new paragraph and insert:
- 2 "SECTION 2. IC 14-15-2-8 IS AMENDED TO READ AS
- 3 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 8. **(a) This section**
- 4 **does not apply to a body of water that is under the jurisdiction of**
- 5 **the:**
- 6 **(1) department; or**
- 7 **(2) United States Army Corps of Engineers.**
- 8 **(a) (b)** As used in this section, "litter" means bottles, glass, crockery,
- 9 cans, scrap metal, junk, paper, garbage, rubbish, plastic, or similar
- 10 refuse.
- 11 **(b) (c)** In the operation or use of watercraft, a person may not throw,
- 12 dump, place, deposit, or cause or permit to be thrown, dumped, placed,
- 13 or deposited:
- 14 (1) any litter, filth, or putrid or unwholesome substance; or
- 15 (2) the contents of a water closet or toilet, catch basin, or grease
- 16 trap;
- 17 in or upon public water or the banks of public water."
- 18 Page 3, between lines 30 and 31, begin a new paragraph and insert:
- 19 "SECTION 5. IC 35-45-3-2 IS AMENDED TO READ AS
- 20 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 2. (a) A person who
- 21 recklessly, knowingly, or intentionally places or leaves refuse on
- 22 property of another person, except in a container provided for refuse,
- 23 commits littering, a Class B infraction. **However, the offense is a Class**
- 24 **A misdemeanor if the refuse is placed or left in, on, or within one**
- 25 **hundred (100) feet of a body of water that is under the jurisdiction**

- 1 **of the:**
2 **(1) department of natural resources; or**
3 **(2) United States Army Corps of Engineers.**
4 (b) "Refuse" includes solid and semisolid wastes, dead animals, and
5 offal.
6 (c) Evidence that littering was committed from a moving vehicle
7 other than a public conveyance constitutes prima facie evidence that it
8 was committed by the operator of that vehicle."
9 Page 3, after line 39, begin a new paragraph and insert:
10 "SECTION 8. [EFFECTIVE JULY 1, 2006] **IC 35-45-3-2, as**
11 **amended by this act, applies only to offenses committed after June**
12 **30, 2006."**
13 Renumber all SECTIONS consecutively.
 (Reference is to ESB 253 as printed February 14, 2006.)

Representative Goodin